

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER JOHN WILSON,
Plaintiff,
v.
TUOLOMNE COUNTY, et al.,
Defendants.

Case No. 1:21-cv-00196-KES-SKO (PC)

**ORDER VACATING FINDINGS AND
RECOMMENDATIONS TO DENY
DEFENDANT SON'S MOTION TO
DISMISS**

(Doc. 81)

Plaintiff Christopher John Wilson, a state prisoner and previous county detainee, is proceeding pro se and *in forma pauperis* in this civil rights action. This action proceeds on Plaintiff's Eighth Amendment deliberate indifference to serious medical needs and failure to protect claims against Defendant Son and Eighth Amendment excessive force claim against Defendant Teague.

I. INTRODUCTION

The undersigned issued Findings and Recommendations to Deny Defendant Son's Motion to Dismiss on August 12, 2025. (Doc. 81.) The Court recommended that Defendant Son be directed "to file an answer to Plaintiff's operative complaint within twenty-one (21) days of any order adopting" those findings, and were advised to file any objections within 14 days. (*Id.* at 7.)

Defendant Son filed an answer to Plaintiff's complaint on August 27, 2025, after the deadline for filing objections passed. (Doc. 82.) Because Defendant Son has filed an answer,

1 making his previously filed motion to dismiss moot, the undersigned will vacate the Findings and
2 Recommendations issued on August 12, 2025.

3 **II. CONCLUSION AND ORDER**

4 For the foregoing reasons, this Court **HEREBY ORDERS** that:

- 5 1. The Findings and Recommendations issued August 12, 2025 (Doc. 81) are
6 **VACATED** as moot in light of Defendant Son's answer filed August 27, 2025;
7 2. The Clerk of the Court shall terminate Defendant Son's motion to dismiss filed June
8 10, 2024 (Doc. 46); and
9 3. The Court will issue its order regarding early alternative dispute resolution (ADR) in
10 due course.

11
12 IT IS SO ORDERED.

13 Dated: **August 29, 2025**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE